

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America

v.

Stephanie Ayala

Case No.

3:18mj620

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 9/12/2018 in the county of Montgomery in the Southern District of Ohio, the defendant(s) violated:

Code Section

21 USC s. 846 & 841(b)(1)(A)

Offense Description

conspiracy to possess with intent to distribute 400 grams or more of fentanyl, a Schedule II controlled substance

This criminal complaint is based on these facts:

See Attached Affidavit of Raymond Swallen

☒ Continued on the attached sheet.

Raymond Swallen

Complainant's signature

Raymond Swallen, TFO of HSI

Printed name and title

Sworn to before me and signed in my presence.

Date:

9-13-18

City and state:

Dayton, Ohio

Sharon L. Ovington

Judge's signature

Sharon L. Ovington, US Magistrate Judge

Printed name and title

ATTACHMENT "A"

AFFIDAVIT

1. I, Raymond Swallen, a Task Force Officer (TFO) of Homeland Security Investigations (HSI), United States Department of Homeland Security, am hereinafter referred to as Affiant. As such, Affiant sets forth the following in support of an arrest warrant for Eujenio **Orea-Reyes**, Melvin **Gomez** and Stephanie **Ayala**.
2. Affiant, TFO Raymond Swallen, has been a certified Police Officer for thirteen years. Affiant is currently assigned to the Montgomery County Bulk Smuggling Task Force. Affiant has over 100 hours of "Criminal Interdiction" and narcotic investigative training. Affiant has conducted numerous investigations into the unlawful distribution and possession of controlled substances. To successfully conduct these investigations, Affiant has utilized a variety of investigative techniques and resources. Through these investigations, my training, experience, and conversations with other law enforcement personnel, the Affiant has become familiar with the methods employed by narcotics organizations, and the tactics they routinely use to attempt to thwart law enforcement.
3. Between August 2014, and September 2018, Affiant has been assigned to the HSI Border Enforcement Security Task Force (BEST) in Dayton, Ohio.
4. As a TFO for HSI, Affiant is charged with the duty of enforcing among other Titles, the Controlled Substance Act, Title 21, United States Code, together with other assigned duties as imposed by Federal law.
5. By virtue of Affiant's employment, he performs and has performed various tasks which include, but are not limited to:

- a) Functioning as a surveillance agent for the primary purpose of observing the movements of drug traffickers and those suspected of trafficking in drugs and firearm violations;
  - b) Functioning as a case agent which entails the supervision of specific aspects of drug and firearm investigations;
  - c) The tracing and tracking of monies and assets gained by drug traffickers and other criminal organizations gained from the illegal sale of drugs and other illegal activity.
6. This Affidavit is submitted in support of a criminal complaint, and seeks the issuance of arrest warrants for Eujenio **Orea-Reyes**, Melvin **Gomez** and Stephanie **Ayala**, for violations of 21 U.S.C. § 846 and 841 (b)(1)(A) (conspiracy to possess with intent to distribute a controlled substance).
7. The information contained in this Affidavit is largely based upon an investigation conducted by your Affiant and other law enforcement officers. All of the details of the investigation are not included in this Affidavit, rather only information necessary to establish probable cause of the aforementioned violations.

### **FACTS**

#### **FACTS SUPPORTING PROBABLE CAUSE**

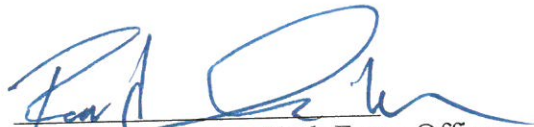
1. On September 11, 2018, an Ohio State Highway Patrol (OSP) Trooper stopped a Grey BMW, Connecticut Registration 213ZUC, for a speeding violation. Speeding is a

violation of the Ohio Revised Code. This violation occurred on Interstate 70 (Eastbound) near Ohio State Route 40 in Clark County, Ohio.

2. Melvin **Gomez (Gomez)** was the driver of the vehicle, Stephanie **Ayala (Ayala)** was the front passenger, and Eujenio **Orea-Reyes (Orea)** was the rear passenger.
3. A Springfield Police Officer responded to the scene with his narcotics sniffing canine. The Officer advised his canine showed a positive alert for the presence of the odor of narcotics on the passenger door.
4. The OSP Trooper assisted in a probable cause search of the vehicle. The trooper found two vacuum-sealed bundles in a small shopping bag located in the trunk of the vehicle. Inside the clear vacuum sealed bundles there was an off-white compressed powder.
5. In a post Miranda statement, **Gomez** advised he drove down with his girlfriend, **Ayala**, to pick up his cousin, **Orea**. The Affiant confronted **Gomez** about the suspected narcotics found in the car, and he advised he did not know what was in the bag, but that he knew **Orea** had a bag he concealed.
6. In a post Miranda statement, **Ayala** advised she believed both **Gomez** and **Orea** concealed drugs in the vehicle. **Ayala** also stated she did not know what kind of drugs were in the bag. **Ayala** stated she traveled from Connecticut to pick up **Orea** from Dayton, Ohio.
7. In a post Miranda statement, **Orea** stated the contents in the trunk were his, but that he did not know the drugs were in the car. **Orea** stated he put the contents of the trunk in when he was cleaning out his attic.
8. The two bundles were weighed on the roadside. Each bundle weighed approximately 1,000 grams. The bundles were then transported to the Miami Valley Regional Crime Laboratory for testing. Laboratory results revealed the substance in one of the bundles was fentanyl and the other bundle contained a heroin and fentanyl mixture.

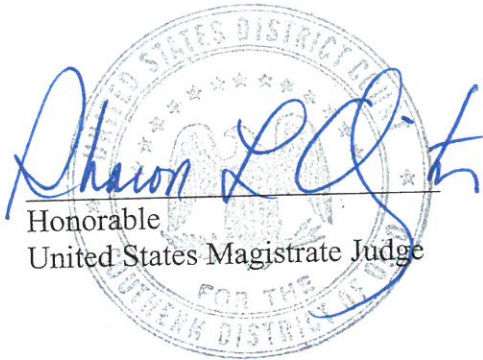



9. Based upon the facts set forth in this Affidavit, Your Affiant believes there is probable cause to issue criminal complaints and arrest warrants against Eujenio **Orea-Reyes**, Melvin **Gomez**, and Stephanie **Ayala**, for violation of 21 U.S.C. § 846 and 841 (b)(1)(A) (conspiracy to possess with intent to distribute a controlled substance).



Raymond Swallen, Task Force Officer  
Homeland Security Investigations

Subscribed and sworn to before me on September 13, 2018



Honorable  
United States Magistrate Judge